

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Pat D. O'Donnell

Serial No.: 10/701,253

Filed: November 4, 2003

Group Art Unit: 3735

Before the Examiner: Hopkins, Christine D.

Title: A SURGICAL INSTRUMENT FOR TREATING FEMALE
URINARY STRESS INCONTINENCE

TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. Pat D. O'Donnell is the owner of all rights in the captioned application.
2. As sole owner in the captioned application, Pat D. O'Donnell hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173, as presently shortened by any terminal disclaimer, of prior U.S. Patent Application No. 10/308,735 (now U.S. Patent No. 6,808,486). Pat D. O'Donnell hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and the prior indicated patent are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.
3. In making the above disclaimer, Pat D. O'Donnell does not disclaim the

terminal part of any patent granted on the captioned patent application that would extend to the expiration date of the full statutory term defined in 35 U.S.C. §154 to §156 and §173 of prior U.S. Patent Application No. 10/308,735 (now U.S. Patent No. 6,808,486), as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

4. Pat D. O'Donnell is the owner of the entire right, title and interest in the patent application identified above by virtue of Pat D. O'Donnell being the sole inventor of the patent application identified above.

5. The Terminal Disclaimer fee under 37 C.F.R. §1.20(d) is included.

6. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: September 2, 2008

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